



## DELTA STEWARDSHIP COUNCIL

A California State Agency

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February 17, 2012

Kirk E. Trost, Chief Operating Officer  
Sacramento Area Council of Governments  
1415 L Street, Suite 300  
Sacramento, California 95814

Dear Mr. Trost:

**Chair**  
Phil Isenberg

**Members**  
Randy Fiorini  
Gloria Gray  
Patrick Johnston  
Hank Nordhoff  
Don Nottoli  
Felicia Marcus

**Executive Officer**  
P. Joseph Grindstaff

We have reviewed the Sacramento Area Council of Governments' (SACOG) draft Metropolitan Transportation Plan/Sustainable Communities Strategy for 2035 (MTP/SCS) and welcome the opportunity to provide input regarding the consistency of the MTP/SCS with the Delta Plan. Though the Delta Plan has not yet been adopted, were the current draft Delta Plan in effect, our initial analysis is that the MTP/SCS would be consistent it. We appreciate the opportunity to comment on the MTP/SCS and continued coordination between our agencies to further our related efforts. We are particularly interested in working with you to understand how the exemption process (for "covered actions") defined in Water Code 85057.5 should work.

As you are aware, in 2009 the California Legislature created the Delta Stewardship Council (DSC) to play a synthesizing and coordinating role among the many agencies and interest groups who have a stake in the Delta's future. The DSC was also tasked with developing the Delta Plan. The Delta Plan is an enforceable plan to achieve the coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals are to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

Pursuant to Water Code Section 85212, the DSC is required to review the MTP/SCS for consistency with Delta Plan. The DSC's comments may include, but are not be limited to, the consistency of the MTP/SCS with the ecosystem restoration needs of the Delta and whether lands set aside for natural protection are sufficient to meet the Delta's ecosystems needs. In addition, Water Code Section 85057.5(4) states that the applicable Metropolitan Planning Organization will determine if plans, programs, projects or activities within the secondary zone of the Delta are consistent with the SCS and therefore exempt from the authority of the DSC. This stature provides SACOG with a potentially significant role in shaping the DSC's authority in urban areas.

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*"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."*

– CA Water Code §85054

Given that the DSC is in the drafting process of the Delta Plan, our review and recommendations for the MTP/SCS are based on the fifth and most recent draft of the Delta Plan. Our review of the MTP/SCS identified the following areas of consistency:

- Urban development and other land uses. The urban boundaries identified in the MTP/SCS are consistent with the Delta Plan. The MTP/SCS identifies Community Type and boundaries within the Delta that are consistent with the boundaries that the Delta Plan uses for urban development limits and are also consistent with the ecosystem restoration needs of the Delta. Community type and boundaries within the Delta identified in the MTP/SCS are the existing West Sacramento city limits and the City of Sacramento.
- We are especially pleased that the MTP/SCS development pattern which accommodates a 39% increase in regional population while only expanding the urban boundaries by 7%. These housing density goals ease the pressure on local communities to keep expanding into the Delta, protecting valuable habitats and ecosystem functions without restricting economic growth. This is central to the Delta Plan's strategy of balancing the protection, enhancement and restoration the Delta ecosystem in a manner that protects the values of communities within the Delta.
- Ecosystem protection. The MTP/SCS does not specifically set aside or protect any land within the Delta for ecosystem needs. However, it's our understanding that by not identifying community types within the vast majority of the Delta, urban development within the Delta would not be consistent with the MTP/SCS. In this respect, almost all the lands within the Delta will remain available for ecosystem needs, as well as their current agricultural uses. In addition, Sustainable Communities projects cannot occur in wetland or riparian areas, in areas that offer significant value as a wildlife habitat, nor can they harm any protected species. This is consistent with the Delta Plan and with the "protecting, restoring, and enhancing the Delta ecosystem" goal of the coequal goals.
- Water supply reliability. The water use efficiency standards a project is required to meet to qualify as a SCS is entirely consistent with the water conservation, water use efficiency and sustainable water use the Delta Plan is trying to achieve statewide. The DSC applauds SACOG's commitment to bringing water efficiency to the forefront of local planning decisions. Our goal is to promote this shift in understanding how important it is to maximize the beneficial uses of our existing water supplies.
- Risk reduction. Sustainable Communities projects cannot introduce flood risk. This is consistent with the Delta Plan and Water Code Section 85020(g) that requires a reduction of risk to people, property and state interests through appropriate land uses.
- Protecting the Delta as a place. The Rural-Urban Connections Strategy (RUCS) highlights the importance and benefits of agriculture in the region and informs the MTP/SCS. This is consistent with the Delta Plan's goal of protecting and enhancing the unique cultural, recreational, natural resources, and agricultural values of the Delta. Both the MTP/SCS and the Delta Plan appreciate and promote the benefits of the existing land uses within the Delta in terms of small and historic communities, wildlife habitat, potential flood control uses and agricultural production.

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In reviewing the MTP/SCS we have also identified a need for ongoing and close coordination between our agencies due to the timing of updates required of both plans and the planning periods. The MTP/SCS provides a forecast of growth through 2035 and will be updated every four years. The DSC is required to update the Delta Plan at least every five years. The planning period for the two plans is quite different. The Delta Plan has a planning period through 2100 in comparison to the current MTP/SCS which plans through 2035. The Delta Plan uses current city boundaries and spheres of influence as the basis for some of the regulatory policies for the Delta Plan. Changes moving forward will require the agencies to work together closely.

Also as a result of our review of the MTP/SCS we have the following recommendations for ways the MTP/SCS could further promote the achievement of the coequal goals.

- Co-equal goals. With respect to MTP/SCS Strategy 2.10, SACOG could educate Delta-region policy and decision makers, local staff, and regional stakeholders about the importance and benefits of making development decisions that are consistent with, or further, the coequal goals and the Delta Plan. The RUCS may be an appropriate vehicle to promote understanding and appreciation for the Delta, the coequal goals, Delta Plan policies and recommendations and the relationship between the Delta Plan and the MTP/SCS. SACOG could develop and include a strategy that specifically promotes development that is consistent with, or furthers, the coequal goals.
- Risk reduction and flood safety. With respect to the MTP/SCS System Expansion category of Policies and Strategies (Policies and Strategies 27 thru 31), SACOG should include a policy to support road, transit, and bridge expansion investments that are designed to accommodate a 200-year, or greater, flood event to ensure the ability of population centers to evacuate safely and for emergency personnel to be able to reach flooded areas.
- The MTP/SCS uses a sea level rise range of 22 to 35 inches by 2100 (Page 7-34). We suggest using the range of values used in the Delta Plan, and in many other public agency documents, which have the upper average range as 55 inches by 2100<sup>1</sup>.
- Finally, to further clarify the scope of the SCS, SACOG should describe or list the plans, programs, projects or activities within the secondary zone that are included within the SCS. In addition, the plan or its EIR should describe what infrastructure besides the listed transportation projects are necessary to support the SCS or the plans, programs, projects, or activities encompassed within it. This would assist both DSC and other parties in understanding the variety of projects that would be exempt from the definition of "covered actions" provided in Water Code 85057.5. We propose working jointly on this as a separate effort and as part of implementation of our respective plans.

We look forward to working with you and your staff to ensure consistency between the MTP/SCS and the Delta Plan, and that the two plans are complementary in nature and serve

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<sup>1</sup> California Ocean Protection Council. 2011. Resolution of the California Ocean Protection Council on Sea-Level Rise. March.  
[http://www.opc.ca.gov/webmaster/ftp/pdf/docs/ OPC\\_SeaLevelRise\\_Resolution\\_Adopted031111.pdf](http://www.opc.ca.gov/webmaster/ftp/pdf/docs/ OPC_SeaLevelRise_Resolution_Adopted031111.pdf).

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to protect the Delta while promoting sustainable growth and economic vitality in the broader region. We anticipate briefing the Delta Stewardship Council on this matter at either our March 15-16 or 29-30 meeting and may receive additional direction or input from the Council. If possible, we would welcome your participation in presenting information on the MTP/SCS to the Council and assisting us with addressing their questions.

If you have any questions, please contact Kevan Samsam at (916) 455-5011 or [ksamsam@DeltaCouncil.ca.gov](mailto:ksamsam@DeltaCouncil.ca.gov).

Sincerely,

Cindy Messer  
Acting Deputy Executive Officer, Delta Plan

Cc: Phil Isenberg, Chair, Delta Stewardship Council  
P. Joseph Grindstaff, Executive Officer, Delta Stewardship Council  
Chris Stevens, Chief Counsel, Delta Stewardship Council  
Dan Ray, Chief Deputy Executive Officer, Delta Stewardship Council  
Carl Lischeske, Principal Engineer, Delta Stewardship Council